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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,634	07/17/2003	Akihiro Maezawa	KON-1806	1858

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EXAMINER	
HANNAHER, CONSTANTINE	
ART UNIT	**PAPER NUMBER**
2878	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/621,634	MAEZAWA ET AL.	
	Examiner	Art Unit	
	Constantine Hannaher	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 July 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *20031024*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

2. Claim 18 is objected to because of the following informalities: the claim refers to a method but depends upon panel claim 10. Appropriate correction is required.

3. Claims 19 and 20 are objected to because of the following informalities: the claims refer to a panel but depend upon method claim 12. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 9, 10, 18, 12-15, 17, and 19 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Kohda *et al.* (US 20020166977A1).

With respect to independent claim 1, Kohda *et al.* discloses a radiation image conversion panel **210** (Fig. **16**) comprising on a support **211** at least one stimulable phosphor layer **212** comprising a stimulable phosphor (paragraph [0222]). The stimulable phosphor layer **212** is a layer

of stimulable phosphor having a thickness in the claimed range (paragraph [0241]). While the manner of manufacture does not impart a distinction to a claim to a structure, the layer of stimulable phosphor material in the panel of Kohda *et al.* is vapor-deposited (paragraph [0237]). The support **211** is comprised of a polymer material (paragraph [0233]).

With respect to dependent claims 2-7, the stimulable phosphor in the panel of Kohda *et al.* is represented by a formula which anticipates the scope recited (paragraphs [0170] through [0172]).

With respect to dependent claim 9, the polymer material of the support **211** in the panel of Kohda *et al.* is at least one of the recited members (paragraph [0233]).

With respect to dependent claim 10, the support **211** in the panel of Kohda *et al.* is comprised of plural layers (paragraph [0233]).

With respect to dependent claim 18, as best understood to limit the support established in the panel of claim 1, the support **211** in the panel of Kohda *et al.* has a thickness which overlaps (and thus anticipates) the claimed range (paragraphs [0228] and [0229]).

With respect to independent claim 12, Kohda *et al.* discloses a method of preparing a radiation image conversion panel **210** (Fig. **16**) comprising on a support **211** a stimulable phosphor layer **212** (paragraph [0222]) which comprises the steps of depositing a stimulable phosphor on the support by vapor deposition (paragraph [0237]) to form the stimulable phosphor layer **212**, wherein the support **211** is comprised of a polymer material (paragraph [0233]).

With respect to dependent claim 13, the stimulable phosphor layer **212** in the method of Kohda *et al.* has a thickness in the claimed range (paragraph [0241]).

With respect to dependent claims 14 and 15, the stimulable phosphor in the method of Kohda *et al.* is represented by a formula which anticipates the scope recited (paragraphs [0170] through [0172]).

With respect to dependent claim 17, the polymer material of the support **211** in the method of Kohda *et al.* is at least one of the recited members (paragraph [0233]).

With respect to dependent claim 19, as best understood to limit the support established in the method of claim 12, the support **211** in the panel of Kohda *et al.* is comprised of plural layers (paragraph [0233]).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kohda *et al.* (US 20020166977A1).

With respect to dependent claim 8, the polymer material comprising the support **211** in the panel of Kohda *et al.* is expected to survive its manufacture which involves a heating of the stimulable phosphor material by electron beams or resistance heating to evaporate it and a

post-deposition heating processing (paragraph [0193]). It would have been obvious to one of ordinary skill in the art at the time the invention was made that at least one of the polymer materials identified by Kohda *et al.* (paragraph [0233]) exhibited a glass transition temperature in the claimed range.

9. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohda *et al.* (US 20020166977A1) in view of Leblans *et al.* (US 20040051441A1).

With respect to dependent claims 11 and 20 (as best understood as limiting the support established by claims 12 and 19), the support **211** in the panel and method of Kohda *et al.* may comprise a layer of carbon fiber-reinforced plastic sheet and a layer of polyimide resin sheet in that order (paragraph [0233]). While Kohda *et al.* specifies that the sheet having the rigidity (*i.e.*, the CFRP sheet) should be on the outer side, the presence of a polymeric layer on the outer side of a carbon layer in a storage phosphor screen also having a polymeric layer on the inner side of the carbon layer is known, as shown by Leblans *et al.* (Fig. **3**). In view of the enhanced strength with respect to brittleness and flexibility especially during the mechanical transport of the storage phosphor sheet during readout as described by Leblans *et al.* (paragraph [0022]) which would have been relevant in the use of the panel **210** of Kohda *et al.*, it would have been obvious to one of ordinary skill in the art at the time the invention was made to comprise the support **211** in the panel and method of Kohda *et al.* with a polymeric film (as suggested by **24** in Leblans *et al.*) on the outer side of the CFRP-polyimide stack disclosed by Kohda *et al.* Since polyimide is a known polymeric film, the choice to use this material for the suggested polymeric film on the outer side would have been a choice within the ordinary skill in the art at the time the invention was made (Kohda *et al.* already considers polyimide equivalent to PET, see paragraph [0233], and PET is an example of the layer **24** in Leblans *et al.*).

Response to Submission(s)

10. This application has been published as EP1385050A1 on January 28, 2004 and again as US2004/0016890A1 on January 29, 2004.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Constantine Hannaher whose telephone number is (571) 272-2437. The examiner can normally be reached on Monday-Friday with flexible hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ch

/CONSTANTINE HANNAHER/
Constantine Hannaher
Primary Examiner